

US Serial No. 09/756925
Page 1 of 3

Attorney File Ref: 102790-43

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Quellet et al.
Serial No.: 09/756925
Filed: 09.January.2001
Examiner: Gina C Yu
Art Group: 1619
Title: Composite Materials

Assistant Commissioner of Patents
Washington, DC 20231

15 January 2003

Dear Sir;

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Restriction Requirement dated 18.Dec.2002, the applicants herein elect the subject matter of Group I: Claims 2-10, 28-41 and the subject matter of claims 25-27.

The applicants point out that in the prior Restriction Requirement dated 18.Dec.2002, the Examiner had apparently divided the subject matter of the outstanding claims into two groups; Group I directed to a "compositions" and Group II to a "method of making". A review of the language of claims 25 - 27 reveals that the subject matter of these claims are directed to "A protective or controlled release system for an active ingredient comprising a composite material comprising a thermoplastic hydrophilic matrix and a hydrophobic active ingredient dispersed as droplets within the thermoplastic hydrophilic matrix " which logically appears to be directed to a

US Serial No. 09/756925
Page 2 of 3

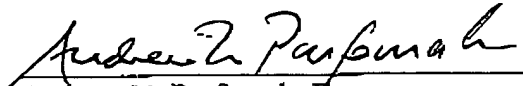
composition of matter, and hence the applicants believe should have properly been included in the identified claims of Group I. The inclusion of the subject matter of claims 25 - 27 is sufficiently similar to that of claim 1, et al, that it is believed that a search of the subject matter of claim 1 would be commensurate with the scope of search required for claims 25 - 27. Accordingly it is believed that claims 25 - 27 should be included in the Group I claims.

Applicants reserve the right to prosecute the subject matter of the non-elected claims in a divisional application, if such subject matter is not ultimately granted here.

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263. An early and favorable action is earnestly solicited.

As an attachment to this paper, the undersigned also transmits a *Change of Correspondence Address* for this application. Entry into the file, and recognition of this change of address is respectfully requested.

Respectfully Submitted;



Andrew N. Parfomak, Esq.
Reg. No. 32,431
Norris, McLaughlin & Marcus, PC
110 East 42nd St., 30th Floor
New York, NY 10017

15 Jan 2003
Date:

Tel: 212 808-0700